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In re Application of	:	OFFICE OF PETITIONS
Stoner, et al.	:	
Application No.: 10/725,505	:	
Filed: December 3, 2003	:	ON PETITION
Attorney Docket No.: COS97083C1	:	

This is a decision on the petition under 37 CFR 1.137(b), filed January 8, 2009, to revive the above-identified application.

The petition is **granted**.

This application became abandoned as a result of applicants' failure to file an appeal brief (and fee required by 37 CFR 41.20(b)(2)) within the time period provided in 37 CFR 41.37(a)(1). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal, filed May 2, 2008, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.197(b). As no claim was allowed, the application became abandoned on July 3, 2008. See MPEP 1215.04.

Applicants have submitted an Appeal Brief accompanied by the \$540.00 fee, an acceptable statement of the unintentional nature of the delay in filing the Appeal Brief, and the \$1,620.00 petition fee.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

After the mailing of this decision, the file will be forwarded to Technology Center AU 2179 for consideration of the Appeal Brief, filed January 8, 2009.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.

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